

REMARKS

Claims 1-29, 31, 33, 35, 37, 39, 41, and 43 are pending in this application. Claims 1, 8, 15-19, 24, 29, 31, 33, 35, 37, 39, 41, and 43 are independent. In light of the remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

Request for Interview

This Reply is being filed concurrently with a Request for Interview. Applicant respectfully requests the Examiner contact the undersigned to schedule and conduct a personal interview prior to considering the enclosed arguments on the record.

Official Action

In the outstanding Official Action, the Examiner rejected claims 1, 5, 7, 15, 17, 19, 22, 23, 29, 30, 35-38, 41, and 42 under 35 U.S.C. § 102(e) as being anticipated by *Tibbs et al.* (U.S. Publication No. 2002/0010689); rejected claims 8, 12, 14, 16, 18, 24, 26-28, 31-34, 39-40, and 43-44 under 35 U.S.C. § 103(a) as being unpatentable over *Cusack et al.* (USP 6,493,724) in view of *Tibbs*; rejected claims 2 and 20 under 35 U.S.C. § 103(a) as being unpatentable over *Tibbs* in view of *Perkowski* (U.S. Publication No. 2002/0004753); rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over *Tibbs* in view of *Perkowski*, and further in view of *Hudetz et al.* (USP 5,978,773); rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over *Tibbs* in view of *Perkowski*, and further in view of *Chu* (USP 6,279,170); rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over *Tibbs* in view of *Hudetz*; rejected claims 9 and 25 under 35 U.S.C. § 103(a) as being unpatentable over *Cusack* in view of *Tibbs*, and further in view of *Perkowski*; rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over *Cusack* in view of *Tibbs* and *Perkowski*, and further in view of *Hudetz*; rejected claim 11 under 35

U.S.C. § 103(a) as being unpatentable over *Cusack* in view of *Tibbs* and *Perkowski*, and further in view of *Chu*; rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over *Cusack* in view of *Tibbs*, and further in view of *Hudetz*; and rejected claim 21 under 35 U.S.C. § 103(a) as being unpatentable over *Tibbs* in view of *Cusack*. Applicant respectfully traverses these rejections.

The Examiner appears to have withdrawn the rejection under 35 U.S.C. § 112, second paragraph, in the Advisory Action mailed April 27, 2005.

Claim Rejections - 35 U.S.C. § 102

In response to Applicant's arguments included in the Reply After Final filed March 25, 2005, the Examiner, with regard at least to independent claim 1, responds that *Tibbs* discloses a user downloading a return shipping label from an ASP application that is affixed to a package to be returned, citing to paragraphs [0041] and [0042]. Applicant respectfully submits that these teachings are insufficient to anticipate claim 1.

Claim 1 clearly recites, *inter alia*, a label information providing method, comprising reading out the label information when accessed by the user's terminal with reference to access destination information directly provided on material associated with the commodity.

Tibbs clearly discloses the merchant providing the consumer with the URL address of the web page containing the return shipping label where the customer may print the return shipping label and affix the label to the package. In other words, first the consumer accesses the URL, then prints the return label and affixes the label to the package. Applicant maintains that these teachings are insufficient to anticipate claim 1 which clearly recites **reading out the label information when accessed by the user's terminal with reference to access destination information directly provided on**

material. As *Tibbs* fails to teach or suggest all of the claim elements, Applicant maintains that claim 1 is not anticipated by *Tibbs*. Applicant respectfully requests that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-7 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1. It is further respectfully submitted that claims 15, 17, 19, 29, 35, 37, and 41 include elements similar to those discussed above with regard to claim 1, and thus these claims, together with claims dependent thereon, are not anticipated by *Tibbs*.

Claim Rejections - 35 U.S.C. § 103 - *Cusack/Tibbs*

In response to Applicant's arguments included in the Reply filed March 25, 2005, the Examiner maintains that the combination of the teachings of *Cusack* and *Tibbs* render claims 8, 12, 14, 16, 18, 24, 31, 33, 39, and 43 obvious. The Examiner supports this assertion by noting that the combination of *Cusack* and *Tibbs* teaches including a URL address of a web page that contains the shipping label of a commodity to be shipped. Applicant respectfully disagrees that these teachings are sufficient to render the claims obvious.

In support of the Examiner's rejection of claim 8, the Examiner admits that *Cusack* fails to teach or suggest including a Uniform Resource Locator directly provided on material associated with the commodity. The Examiner relies on the disclosure of *Tibbs* to cure the deficiencies of the teachings of *Cusack*, asserting *Tibbs* discloses wherein access destination information includes a Uniform Resource Locator directly provided on material associated with the commodity, citing to paragraphs [0034], [0037], [0038], and [0041]. Applicant respectfully disagrees with the Examiner's characterization of this reference.

Tibbs clearly discloses, as noted above, that a customer receives a Uniform Resource Locator address of a web site that contains the shipping label. The customer may then print the shipping label and affix it to the package. However, there is no teaching or suggestion in *Tibbs* that is directed to the Uniform Resource Locator being provided directly on the material associated with the commodity. As neither of the references, either alone or in combination, assuming these references are combinable, which Applicant does not admit, teach or suggest all of the claim elements, Applicant respectfully submits that claim 8 is not obvious over the references as cited. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 31, 33, 39, and 43 contain elements similar to those discussed above with regard to claim 8, and thus these claims, together with claims dependent thereon, are not obvious over the references as cited for the reasons noted above with regard to claim 8.

Conclusion

If the Examiner has any questions concerning this application, the Examiner is requested to contact Catherine M. Voisinet, Reg. No. 52,327 at the telephone number of (703) 205-8000. Facsimile communications may be sent to facsimile number (703) 205-8050.

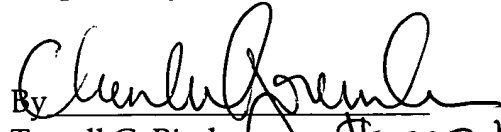
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: May 26, 2005

Respectfully submitted,

By 

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